

# **Newsrack Consolidation Program**

## **PROGRAM GOALS**

The Newsrack Consolidation Program goals are to eliminate sidewalk clutter, improve sidewalk safety, and develop a uniform look for newsracks in the City of Morgan Hill. The Newsrack Program is intended to regulate the placement, size, and appearance of newsracks in Morgan Hill located in the public right-of-way.

## **PROGRAM PROVISIONS**

### **A. Establishes Design Criteria**

- a. The program will require the use of fixed modular newsrack as further described below:
  - i. Meet design specifications of Model 2-4 of City Newsstands  
<http://www.citynewsstands.com/>
  - ii. For a single tower newsrack, the dimensions should be 33"w x 24"d x 56.6" h
  - iii. Be painted RAL 7022 to match the City-owned newsracks
  - iv. Be able to withstand winds of up to 110 miles per hour
  - v. Must be ADA compliant
  - vi. Must house two or more publications
  - vii. Contain at least one paid or free insert
  - viii. Contain a Plastic window in the door to display the publication

### **B. Establishes Fees and Costs**

- a. All publications will be required to obtain a City of Morgan Hill Business License and pay associated Vending Machine fees per newsrack location.
- b. The Business License and Vending Machine fees apply to newsracks located on both public-right-of-way and private property (i.e. strip malls etc.).
- c. Publishers will be able to place their publications in the city owned newsracks, free of charge, with Business License (and associated fees) compliance.

### **C. Establishes Permitting Process**

- a. All publications are required to obtain an Encroachment Permit to place a newsrack in the public right of way.
- b. The Encroachment Permit fee will be waived for existing publications (at the time the Program is adopted).
- c. Publications may choose to locate in a City-owned newsrack unit in one of three pre-approved Zones, and avoid obtaining an Encroachment Permit, space permitting.

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### **D. Identifies Pre-Approved Zones and Provides City-owned Modular Units.**

- a. The City has identified three initial zones and plans to install 3 multi-rack modular units to accommodate both free and paid publications in these pre-approved locations.
  - 1. The Depot Street Caltrain Station (City's parking lot on Depot Street)
  - 2. Near Parking Garage on 3<sup>rd</sup> Street
  - 3. The Post Office (Monterey Road)
- b. Existing publications currently located at these three locations have priority placement in the City's newsrack unit.
- c. Publications will have to conform with business license and maintenance requirements to be able to keep their space in the City's newsrack unit. Publications that fail to comply will forfeit their space.
- d. New publishers interested in placing their publication in any of the three City-owned newsrack units (assuming space is available) will have to apply to the City and pay associated licensing fees. Please contact the office of [economic development](#) on available space.
- e. A lottery will be held in the event there is more interest than space available.

### **E. Establishes Lottery Process**

- a. Once a year, at the time of Business License renewal, the City will hold a lottery for publishers interested in placing their publication in any of the City-owned newsracks (assuming space is available).

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### F. Establishes Maintenance Requirements.

- a. It will be the responsibility of each publisher to maintain their newsrack unit or space in a good condition- free of graffiti, stickers and advertisements.
- b. Advertising is not permitted on newsracks.
- c. Newsracks placed in the public-right-of-way without an encroachment permit or in violation of the Newsrack Consolidation Program will be removed. Publishers will be notified and required to pay a recovery fee.

|  | <b>Existing</b> Publications<br>in standalone location | <b>New</b> Publications in<br>standalone locations | Pre-Approved<br>Zones ( <b>City<br/>Racks</b> ) |
|--|--|--|---|
| Obtain<br>Encroachment<br>Permit       | X  | X  |   |
|  |  |  |   |
| Pay Encroachment<br>Permit Fee         |  | X  |   |
|  |  |  |   |
| Obtain Business<br>License             | X  | X  | X   |
|  |  |  |   |
| Pay Vending<br>Machine Fee per<br>Rack | X  | X  | X   |

- ❖ All publications (existing and new) will have to conform with design criteria (modular units) and permitting process (encroachment permit, business license and associated fees).
- ❖ Existing publications may keep their existing locations but must comply with newsrack design and permitting requirements.